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## *Senate*

### **NATIONAL LABORATORIES PARTNERSHIP IMPROVEMENT ACT OF 2001**

Mr. CARPER. The Presiding Officer and I, before we were hired on as Senators, used to earn our keep by serving as Governors of Indiana and Delaware. As Governors, we were mindful of the prerogatives of the States and our roles and responsibilities as chief executives of our States. We worked through our national and regional organizations to make sure the concerns of our region and the Governors and the States in general were respected.

Whenever a group of Governors today raises a concern about an issue that is before the Congress, I listen. In this case, we have heard from a number of Governors from the western part of the United States raising concerns with respect to the electric reliability provisions that are in the underlying bill before us.

We have had a chance to try to better understand what the concerns of the Governors are, and we have had an opportunity to try to understand how their concerns, if adopted as proposed, would affect the rest of us who do not happen to be from those 14 or so Western States that have banded together to present their message to us.

That having been said, I nonetheless must feel compelled to rise in support of the electric reliability provisions that are in the underlying amendment. Senator Bingaman has sent out a Dear Colleague letter to all of us dated yesterday, March 13, on this issue. I urge our colleagues to take a few minutes to read it as we approach the vote at 2 p.m.

The underlying language that is in the bill Chairman BINGAMAN has developed represents what I believe is a simplified approach that places appropriate authority for liability within the Federal Energy Regulatory Commission, which we call FERC. FERC is the proper body to address electric reliability issues. FERC has the expertise to harmonize reliability and to commercialize issues that States and utilities face.

Under Senator Bingaman's proposal, FERC can objectively defer to regional and State solutions if FERC does not think they have the expertise and that the expertise lies elsewhere. They have the flexibility to look elsewhere for those solutions.

I believe what Senator Bingaman has provided for us is a thoughtful compromise. It is based on the premise that a reliability structure should be both simple and dependable. The language in the underlying bill requires FERC to implement a system that applies to all regions in what I believe is a fair manner. It also includes a flexibility to defer, as I said earlier, where appropriate, to regional entities and to States. I believe this is a good solution to the important issue of ensuring the reliability of our electric grid. The electric grid is a national infrastructure, and the oversight of its reliability should be national in scope as well.

This morning Senator Bingaman introduced into the RECORD a letter from PJM. PJM is the entity which coordinates the electric grid in Delaware and in five

other States in the mid-Atlantic region. PJM is recognized, we believe, as the best in the country in ensuring the reliability of our grid. They said they support Senator Bingaman's efforts as well. So do I.

I would be surprised if our colleagues, especially those from the mid-Atlantic or from the Northeast, voted for the amendment that is being offered by the Senator from Wyoming later today, particularly if they will take the time to listen to the input, as I have, from their PJM in their part of the country, and especially if they will take the time to read this letter. It is a Dear Colleague letter from Senator Bingaman.

As Governors, we always tried to find

solutions that were simple and dependable: The old ``kiss" principle, keep it simple stupid. I often find that would underlie what we attempted to do. We would often seek, as Governors, to make sure what we tried to do for one region of the country did not somehow inconvenience or undermine the interests of another part of the country.

My concern about what our friends from the West have proposed is it is not simple and it would undermine and put the rest of us at a disadvantage.

I urge my colleagues to support Senator Bingaman's position in the underlying bill and oppose the amendment of Senator THOMAS.